

**CHAPTER NO. 377**

**SENATE BILL NO. 1002**

**By Crowe**

**Substituted for: House Bill No. 1205**

**By Westmoreland, Patton**

AN ACT To amend Tennessee Code Annotated, Title 8; Title 9 and Title 33, relative to liability involving certain community-based screening.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-42-101(3)(D), is amended by deleting the first sentence of the item in its entirety and by substituting instead the following:

"State employee" also includes persons: (i) who are members of community-based screening processes or mandatory pre-screening agents that function under Title 33, Chapter 6, and (ii) who screen individuals to make judgments required by Title 33, Chapter 6.

SECTION 2. Tennessee Code Annotated, Section 8-42-101(3)(D), is amended by adding the following language at the end of the item:

For purposes of legal actions resulting from acts of omissions by these properly qualified and designated persons while performing duties referenced in this item, the state shall be considered the employer of these persons.

SECTION 3. Tennessee Code Annotated, Section 33-6-104, is amended by adding the following as a new subsection:

(d) When performing the duties authorized by this section an individual agent shall be considered to be a state employee pursuant to Section 8-42-101(3)(D).

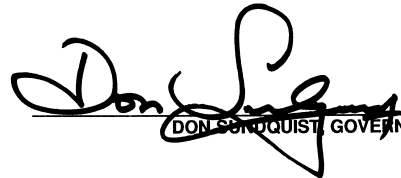
SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: June 4, 2001**

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 12<sup>th</sup> day of June 2001**

  
DON SUNDQUIST, GOVERNOR